

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

STEPHEN PAIGE,	)	
	)	
Plaintiff	)	
	)	
vs.	)	No. CIV-06-1057-C
	)	
THE OKLAHOMA DEPARTMENT	)	
OF CORRECTIONS, et al.,	)	
	)	
Defendants	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Robert E. Bacharach, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Bacharach entered a Report and Recommendation on March 29, 2007, to which Plaintiff has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned opinion of the Magistrate Judge. No point would be served in repeating that analysis. Plaintiff does not specifically dispute either the factual recitation or the legal reasoning employed by the Magistrate Judge, but rather disagrees, in a summary fashion, with the ultimate conclusions. There is nothing asserted by the Plaintiff which was not fully considered and correctly rejected by the Magistrate Judge, and no argument of fact or law is set forth in the objection which would require a different result.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge and for the reasons announced therein, Defendants' Motion for Summary Judgment as to Counts One and Two is GRANTED; Defendant Jones is not entitled to Eleventh Amendment immunity on Plaintiff's request for prospective equitable relief; and Count Three is dismissed without prejudice for failure to state a claim upon which relief can be granted. A judgment will enter accordingly.

IT IS SO ORDERED this 17th day of April, 2007.



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ROBIN J. CAUTHRON  
United States District Judge